

FINAL BILL REPORT

HB 1127

C 382 L 09
Synopsis as Enacted

Brief Description: Securing credit and debit card information.

Sponsors: Representatives Hurst and Hinkle.

House Committee on Financial Institutions & Insurance
Senate Committee on Financial Institutions, Housing & Insurance

Background:

State law provides that persons who accept credit cards for the transaction of business may only print the last five digits of the credit card number on any receipt given to the cardholder. The expiration date may not be printed. These restrictions only apply to receipts that are electronically printed and do not apply when the means of recording the number is by imprint or handwriting. There is an additional parallel requirement specific to retailers in state law.

In 2003 the federal Fair Credit Reporting Act (Act) was modified to provide protections parallel to those in state law for the truncation of numbers on receipts provided to cardholders. The Act preempts state laws that conflict with the specific provisions regarding truncation of credit card or debit card numbers. The Act is silent on restrictions retained by persons that accept credit cards or debit cards for the transaction of business.

Summary:

"Credit card" is defined as "a card or device existing for the purpose of obtaining money, property, labor, or services on credit."

"Debit card" is defined as "a card or device used to obtain money, property, labor, or services by a transaction that debits a cardholder's account, rather than extending credit."

A person that accepts credit cards or debit cards for the transaction of business may not print more than the last five numbers of an account number or print the expiration date on an electronic receipt that is retained by the person or is provided to the cardholder. This restriction does not apply if the means of recording the number is by imprint or handwriting.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A retailer that accepts credit cards or debit cards for the transaction of business may not print more than the last five numbers of an account number or print the expiration date on an electronic receipt that is retained by the person or is provided to the cardholder. This restriction does not apply if the means of recording the number is by imprint or handwriting or if the retailer processes the transaction electronically but takes additional manual measures to ensure that the card is not used fraudulently, including measures that the retailer is contractually obligated to take in connection with accepting a credit or debit card.

Votes on Final Passage:

House	94	0	
Senate	46	0	(Senate amended)
House	97	0	(House concurred)

Effective: July 26, 2009